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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

WEST POINT RELOCATION, INC.
and ELI COHEN

PETITION FOR DECLARATORY ORDER

FINANCE
DOCKET NO. 35290



ENTERED
Office of Proceedings
MAR 17 2010
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Public Record

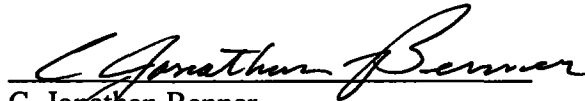
NOTICE OF SUPPLEMENTAL AUTHORITY

In advance of the Board's oral argument scheduled for March 24, 2010, respondent Horizon Lines, LLC respectfully directs the Board's attention to recently released supplemental authority which may bear upon this case:

- *Maersk, Inc. v. Neewra, Inc.*, No. 05 Civ. 4356 (CM), 2009 WL 5102754 (S.D.N.Y. Dec. 17, 2009) (reserving judgment on whether company founder's father was a "principal" because he was neither an officer, director, nor shareholder of the shipper, but explaining that "Courts in this District have consistently upheld the provision in clause 14(4) of Maersk's bill of lading that extends joint and several liability to principals" and that "[i]n all of those cases, the principals to whom liability were extended were officers, directors or shareholders of the shipper") (citing *Maersk, Inc. v. Royal Brands Int'l*, No. 98 Civ. 8396, 2001 U.S. Dist. LEXIS 5308, at *7-8, 2001 WL 456343 (S.D.N.Y. May 1, 2001) (majority shareholders of shippers liable for freight charges); *Maersk Inc. v. Atcom Indus.*, 73 F.Supp.2d 387, 390-91 (S.D.N.Y. 1999) (sole officer, director and shareholder of shipper qualified as principal for purposes of clause 14(4)); *Maersk Inc. v. Am. Midwest Commodities Export Cos.*, No. 94 Civ. 0475, 1998 U.S. Dist. LEXIS 12219, at *12-13 (S.D.N.Y. Aug. 10, 1998)

(president of shipper liable for freight charges); *Maersk Inc. v. Alan Mktg.*, No. 97 Civ. 3495, 1998, 1998 WL 167323 U.S. Dist. LEXIS 4816, at *4 (S.D.N.Y. Apr. 10, 1998) (same)).

Respectfully submitted,



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March 17, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have delivered a true and correct copy of the foregoing document to the following addressee by hand delivery, electronic transmission, and U.S. first-class mail this 17th day of March, 2010:

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